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CRL OP No. 2938 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-02-2026

CORAM

THE HON'BLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 2938 of 2026

1.K.Matheshwari

W/o.Kulainthaivel

2.K.Puvaneshwari

1/1, Pillaiyar Kovil Thottam, Thirumalpatti Village

Senthamangalam Taluk, Namakkal District

..Petitioner(s)

Vs

State rep by Inspector of Police

Puthuchatiram PS

Namakkal District.

Cr No 14/2026

..Respondent(s)

PRAYER: To enlarge the Petitioners in the event of arrest on Bail in Crime No 14 of 2026 pending investigation on the file of the respondent/police and thus render justice.

For Intervener:

Mr.A.Sundaravadhanan

For Petitioner(s):

Munuraj G

For Respondent(s):

M/S.J.R.Archana

Government Advocate (Crl.Side)



ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 296(b), 115(2), 118(1), 351(3), 303(2) of BNS r/w. 4 of Tamilnadu Prohibition of Women Harassment Act in Crime No. 14 of 2026, seek anticipatory bail.

2. The allegation against the petitioners is that the petitioners are ranked as A4 and A3 in this case and they joined hands with two other accused attacked the defacto complainant with hands and legs, whereas A1 and A2 attacked with weapons and caused severe injuries to three victims in this case. Hence, the case has been registered and A1 and A2 were arrested.

3. The learned counsel for the petitioners would submit that the petitioners are ladies and the 1st petitioner is a senior citizen and the 2nd petitioner is working in a Government Department and they have been falsely roped in this case and are ready to co-operate with the investigation. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned counsel for the intervener would submit that when the defacto complainant was alone outside the house, all the 4 persons came there and indiscriminately attacked him and also, by using deadly weapons, they attacked



two other family members of the defacto complainant and also taken away valuables worth about more than Rs.1 lakh. Hence, opposed to grant anticipatory bail to the petitioners.

5. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that A1 and A2, who are the father and son, have already been arrested and they are in custody and the investigation is pending. Hence, opposed to grant anticipatory bail to the petitioners.

6. Considering the fact that the main accused, who are having specific overt acts of attacking the victims in this case with deadly weapons, have already been arrested and asfar as the petitioners concerned, they attacked the victim with hands and legs, and considering the fact that the petitioners are ladies, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen (15) days from the date on which the order copy made ready, before the **learned Additional Mahila Court, Namakkal**, on condition that **the petitioner shall execute a separate bond for a sum of Rs.15,000/- (Rupees Fifteen Thousand only),**



with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned, and on further condition:

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(a) If the petitioners fails to surrender before the concerned Magistrate within a period of fifteen (15) days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) The sureties shall affix their photographs and left thumb impression in the application for surety slip (Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']'. The learned Magistrate shall obtain a copy of any one of identify proofs to ensure their identity;

(c) The petitioners shall report before the respondent police everyday at 06.00 p.m., for a period of two weeks and thereafter, as and when required for interrogation;

(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in *P.K.Shaji v. State of Kerala [(2005) AIR SCW 5560]*;



(e) If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

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To

1. The Additional Mahila Court, Namakkal.
2. State rep by Inspector of Police

Puthuchatiram PS

Namakkal District.

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3. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

MPA

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